

REMARKS

By this Amendment, claims 1-21 are cancelled and replaced with new claims 22-32. These claims were taken from the corresponding issued patent in Canada, CA 2,433,952, which issued on January 8, 2008. For the reasons presented herein, Applicant respectfully submits that the replacement claims are patentable and allowable over the references of record. The Abstract has also been amended to delete each recitation of the word “means” to thereby overcome the objection thereto.

Turning now to the prior art rejections set forth in the Office Action, claims 1-6, 8 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Beauchamp (US 5,664,702), while claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beauchamp. These rejections are rendered moot by the cancellation of the rejected claims. In addition, Applicant respectfully submits that new independent claims 22 and 30 are patentable over Beauchamp because Beauchamp fails to disclose or suggest the highlighted elements in the copies of the claims reproduced below:

22. A positive pressure liquid transfer and removal system for pumping liquid from a container to a destination, said container having an aperture opening to the interior thereof, comprising:

fitting means for engaging said aperture in said container in sealed relation thereto, said fitting means including ingress and egress ports in flow communication with each other;

liquid delivery hose means releasably connectable at one end thereof to said egress port of said fitting means;

liquid intake hose means releasably connectable to said ingress port of said fitting means and insertable into liquid within said container;

foot operable pump means;

pressure hose means for connecting said pump means to said container in sealed relation thereto for pressurizing said container; and

hand operable valve means comprising:

a housing with a hand operable actuating lever pivotally connected at one end thereof to said housing;

a valve element within said housing, said valve element including liquid inlet and outlet ports, said liquid inlet port communicating with the other end of said liquid delivery hose means, said outlet port communicating with an outlet of said valve means;

a valve member within said valve element, said valve member being displaceable between a first position normally blocking liquid flow from said inlet port to said outlet port and a second position permitting liquid flow from said inlet port to said outlet port, said valve member including an end surface engageable with the opposite end of said actuating lever; and

compression spring means within said valve element and normally biasing said valve member to said first position;

whereby foot operation of said pump means will pressurize said container, permitting liquid to flow under pressure from said container, **through said liquid intake hose**, said fitting means, and said liquid delivery hose means, to and through said valve means as controlled by said actuating lever and said valve member for delivery to said destination.

31. A method of pumping liquid from a container to a destination, said container having at least one aperture therein opening to the interior thereof, said method comprising the steps of:

connecting a foot operable pump means to an air pressure hose and connecting said air pressure hose to said container;

connecting one end of a liquid intake hose to an ingress port of a fitting member and a liquid delivery hose to an egress port of said fitting member, said ingress and egress ports being in liquid flow communication with each other;

connecting said fitting member to said at least one aperture of said container in sealed relation thereto, **with said liquid intake hose being inserted into liquid residing within said container;**

providing said liquid delivery hose at the other end thereof with hand operable valve means, **said valve means including a valve actuating lever hinged at one end thereof to a housing of said valve means and a valve member within said housing and in engagement with the opposite end of said actuating lever, compression spring means within said valve means normally biasing said valve member to a closed condition to prevent the flow of liquid there past, and permitting the flow of liquid there past only upon operation of said actuating lever;**

operating said pump means by an operator's foot so as to pump air into said container and to thereby pressurize said container; and

operating said actuating lever of said valve means to permit the flow of liquid from said container **through said intake hose,** said fitting member, said delivery hose, and said valve means to transfer liquid from said container to said destination.

As indicated, Beauchamp fails to disclose an intake hose connected to a fitting and being inserted into the fluid residing in the container. More importantly, Beauchamp does not disclose the specific valve arrangement used to dispense the pressurized fluid from the nozzle as recited in claims 22 and 31. For these reasons, Applicant respectfully submits that claim 22 and 31 are patentable and allowable over Beauchamp and the other references of record.

For the same reasons, the new dependent claims are allowable. In addition, a number of these claims add further features of the claimed invention that are clearly not disclosed in Beauchamp or the other references of record and therefore provide additional reasons why these claims are patentable over Beauchamp and the other references of record. These additional features include the recitation in claim 24 that the fitting means comprises a cylindrical main body receivable within the aperture of said container, and an annular flange on the exterior of said main body, said flange being receivable on an annular edge of said aperture; the recitation in claim 25 that the fitting means comprises a tapered main body receivable within said aperture of said container; the recitation in claim 26 that the valve member includes a shaft portion with said end surface at one end thereof, and a plunger portion at an end opposite said one end, said plunger portion being cup-shaped and of a diameter greater than that of said shaft portion, said cup-shaped plunger portion receiving one end of said compression spring, the opposite end of said compression spring being engageable with said housing; the recitation in claim 27 that the valve element includes a shaft receiving portion and a plunger receiving portion, said inlet port

communicating with said shaft receiving portion and said outlet port communicating with said plunger receiving portion; the recitation in claim 28 of means sealing said shaft portion within said shaft receiving portion and said plunger portion within said plunger receiving portion; the recitation in claim 29 that the sealing means includes a first O-ring seal member surrounding said shaft portion below said inlet port, a second O-ring seal member on said plunger portion above said outlet port, and a third O-ring seal member in a seat portion of said plunger portion engageable with a seat portion of said valve element; and finally, the recitation in claim 30 that the shaft portion includes a section of reduced diameter between said end surface and said plunger portion for permitting the flow of liquid there past from said inlet port to said outlet port when said valve member is in said second position.

In view of the foregoing, Applicant respectfully submits that the new claims are patentable and allowable over the references of record and that the application is now in condition for allowance. Accordingly, favorable reconsideration of the application is respectfully requested.

Respectfully submitted,

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